

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Ginger McCollum,

Plaintiff

v.

Palisades Collection L.L.C,

Defendant

FILED ELECTRONICALLY

COMPLAINT

I. Introduction

1. This is an action for damages brought by an individual consumer for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (“the Act”) which prohibits debt collectors from engaging in abusive, unfair, and deceptive practices.

II. Jurisdiction and Venue

2. Jurisdiction of this Court is proper pursuant to 15 U.S.C. § 1692k(d), which permits an action under the Act to be brought in any court of competent jurisdiction.

3. Venue in this district is proper in that Defendant transacts business here and the conduct complained of is alleged to have occurred here.

III. Parties

4. Plaintiff, Ginger McCollum, is a natural person residing at RR 3 Box 303, Montrose, PA 18801.

5. Defendant, Palisades Collection L.L.C, (“the Collector”) is a limited liability corporation engaged in the business of collecting debts in this state with a place of business located at 210 Sylvan Avenue, #1, Englewood Cliffs, NJ 07632 and is a “debt collector” as defined by the Act, 15 U.S.C. § 1692a(6).

IV. Statement of Claim

6. On or after August 1, 2010, the Collector was attempting to collect an alleged account (“the Account”) from Plaintiff.

7. The Account is a “debt” as that term is defined by the Act, 15 U.S.C. § 1692a(5).

8. The collector regularly uses the telephone and mails to attempt to collect consumer debts alleged to be due another.

9. Between August 1, 2010 and August 26, 2010 the Collector caused at least three telephone calls (“*the Calls*”) to be placed to Plaintiff.

10. During each of *the Calls*, the Collector left a message (“*the Messages*”) for Plaintiff.

11. 15 U.S.C. § 1692e(10) prohibits a debt collector from using any false representation or deceptive means to collect a debt or obtain location information about a consumer.

12. In each of *the Messages*, the caller stated “it is imperative that you contact us as soon as possible”.

13. The statements referenced in paragraph 12 created a false sense of urgency that Plaintiff was required to take immediate action to avoid adverse consequences.

14. The statements referenced in paragraph 12 were false and deceptive, in that they created the false urgency, in an attempt to garner a return call or payment from Plaintiff.

15. The statements referenced in paragraph 12 violated 15 U.S.C. § 1692e(10).

16. *The Calls* and *the Messages* were attempts to collect the Account.

WHEREFORE, Plaintiff demands judgment against Defendant for damages, costs, attorney’s fees, and such other and further relief as the Court deems just and proper.

V. Demand for Jury Trial

Plaintiff demands a trial by jury as to all issues so triable.

Respectfully Submitted,

s/ Kenneth W. Pennington
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